

PARKER | DANIELS | KIBORT

September 7, 2023

**VIA ECF**

The Honorable John Tunheim  
Judge of District Court

RE: In Re: Lindell Management, LLC Litigation  
Case No. 23-CV-1433 (JRT/DJF)

Judge Tunheim:

This office represents Lindell Management in the above matter. We write in response to the email sent to the Court by Counsel for Robert Zeidman on September 5, 2023. Mr. Zeidman's Counsel has asked that the Court choose a hearing date for his Motion to Confirm Arbitration Award. This request is not in keeping with the requirements of Local Rule 7.1(c) nor is it in the interests of judicial economy and efficiency.

This cases arises from Petitions filed by each Party, one seeking to enforce an arbitration award, and the second seeking to vacate that same award. As the Pretrial Scheduling Order in this case states, the parties have from the beginning of this case anticipated resolving this matter through dispositive motions. (*See* Pretrial Scheduling Order, Settlement at 1-2.) Lindell Management noted in its August 4, 2023 Response to Mr. Zeidman's Motion to Confirm that it will be filing its own Motion shortly. In that Response, Lindell Management further stated that it would request that the Parties' respective Motions be heard at the same time. (Lindell Management Response at 1, n.1.) Lindell Management Counsel also contacted Mr. Zeidman's Counsel to determine whether we could request a joint date for hearing on our cross-dispositive motions. Mr. Zeidman's counsel refused. We are thus required to respond to opposing Counsel's letter to the Court.

There is no reason the cross-dispositive motions should be heard separately. For economy and efficiency of resources, they should be heard at one time. Lindell Management requests that the cross-motions be heard at one time upon complete filing of Defendant Lindell Management's Motion which will be submitted on or before the deadline set by the court. *See* Pretrial Scheduling Order at 6. At that time, the parties can obtain a single hearing date consistent with Rule 7.1(c).

Sincerely,

*/s/ Andrew D. Parker*

Andrew D. Parker

Cc: All Counsel of Record, via ECF

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